

60158-107

REMARKS

Claim 1, 2, 4-8 and 10-20 are pending in this application.

The Examiner has rejected claims 8-12 under 35 U.S.C. §112, second paragraph, as being indefinite because of the language "said outer epoxy coating plastic particles" contained in claim 8. Claim 8 has been amended to clarify what the Applicant's is claiming. By this amendment, the Examiner's rejection to claims 8-12 are overcome.

Claims 1, 2, 4-8 and 10-12 stand rejected under 35 U.S.C. §103(a) as being obvious over Wong in view of Tanaka. Wong discloses a primer covering 10 of epoxy resin powder applied to a metallic pipe substrate 1. As epoxy resin is prone to damage, an over covering 14 of polyolefin is applied to form a protective sheath. To increase adhesion between the epoxy covering 10 and the polyolefin covering 14, an interlayer 12 of powder epoxy resin and polyolefin is applied between the coverings 10 and 14. Tanaka discloses a coating composition including a polyester resin and fine particles of organic polymer. As disclosed in column 1, lines 48 to 51, an aim of this Tanaka is to develop a one layer-coated composition for a steel plate.

Employing a single layer coating as disclosed in Tanaka would ruin the benefits of Wong. Wong requires a distinct polyolefin layer 14 that forms a protective sheath and protects the easily damaged epoxy primer covering 10. If all the components of Wong were mixed into a single layer, there would be no uniform protective outer layer of polyolefin, but rather a single layer containing a mixture of epoxy and polyolefin. Combining all the layers of Wong into one layer would eliminate the polyolefin outer layer, ruining the protective benefits the polyolefin layer provides. Additionally, as the epoxy is mixed in the single layer, the easily damaged epoxy is exposed. There is no suggestion to combine these references, and the rejection is improper.

Additionally, claims 15, 16, 19 and 20 require that the outer epoxy coating form a crust. Neither Wong nor Tanaka disclose an outer layer forming a crust. Wong discloses an outer layer of polyolefin. Tanaka discloses a single layer coating composition, but does not disclose a crust. Claims 15, 16, 19 and 20 further are not disclosed or suggested by either of these references, and Applicant's claims are not obvious.

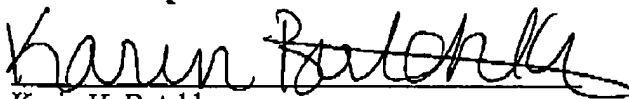
Thus, claims 1, 2, 4-8 and 10-20 are in condition for allowance. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to

60158-107

charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully submitted,

CARLSON, GASKEY & OLDS, P.C.



Karin H. Butchko

Registration No. 45,864

Attorneys for Applicant

400 West Maple Road, Suite 350

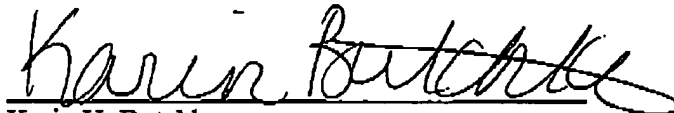
Birmingham, Michigan 48009

(248) 988-8360

Dated: July 9, 2002

**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, TC1700, Before Final, 703-872-9310 on July 9, 2002.



Karin H. Butchko

N:\Clients\FORMJTE\p00107\PATENT\107response2.doc

60158-107

VERSION WITH MARKINGS TO SHOW CHANGES MADE

**-- CLAIMS --**

Please amend the following claims as indicated:

8. (THREE TIMES AMENDED) A tube comprising:  
an underlying metal tubing; and  
an outer epoxy coating[, said outer epoxy coating] containing plastic particles mixed  
into an epoxy paint, wherein an intermediate substrate layer is placed between said  
metal tubing and said coating.